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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,478	06/23/2003	Douglas J. Minkler	CLRXP001/426.24	2674
27019	7590	03/02/2005	EXAMINER	
THE CLOROX COMPANY 1221 BROADWAY PO BOX 2351 OAKLAND, CA 94623			COLE, LAURA C	
			ART UNIT	PAPER NUMBER

1744

DATE MAILED: 03/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,478

Applicant(s)

MINKLER ET AL.

Examiner

Laura C Cole

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01302004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. Information disclosure statement filed 30 January 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

The documents that were unavailable to the Examiner have a line drawn through them on the Information disclosure statement of 30 January 2004.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

It does not identify the citizenship of each inventor.

It does not identify the city and either state or foreign country of residence of each inventor. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

Claim Objections

3. Claim 60 is objected to because of the following informalities:

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Claim 60 recites the limitation "the boot" in Line 2. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-67 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 Line 3, it is unclear as to what is meant by "relatively."

Claim 10 Lines 4 and 7, it is unclear as to what is meant by "relatively."

Claim 38 Line 2, it is unclear as to what is meant by "relatively."

Claim 25 Line 4, it is unclear as to what is meant by "relatively."

Claim 55 Line 4, it is unclear as to what is meant by "relatively."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 25-26 and 55-58 are rejected under 35 U.S.C. 102(b) as being anticipated by Knox et al., USPN 4,075,033.

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Knox discloses the claimed invention including a cleaning head (12) including a support surface (33) defining an elliptical-shaped opening into a gripping cavity thereof (35; see Figure 4), the gripping cavity further being defined by a back wall (31) and a "rigid", inwardly facing, side engaging surface extending between the support surface and the back wall (see inner surface of the device 12 in Figure 4), and a tool comprising an elongated shaft (13) having a handle portion one end (the portion of "13" where "22" is located), and an internal gripping mechanism (14) mounted to the elongated shaft (see Figure 6), and including a collet device having an expansive, circumferential, outward facing contact region sized and dimensioned for sliding insertion through the elliptical-shaped opening and into the gripping cavity (15, Column 4 Line 66 to Column 5 Line 24), the gripping mechanism being selectively movable between a release condition (shown in Figure 3) and a gripping condition (shown in Figure 2) wherein the outward facing contact region (outer surface of "15") is displaced radially outward from a longitudinal axis of the collet device and into gripping cooperation with the side engaging surface to provide an engaging force for mounting the cleaning head (see Figures, Column 4 Line 66 to Column 5 Line 24). Springs (21) act as a force limiting device cooperating with the gripping mechanism to limit the engaging force applied to the side engaging surface of the cleaning head. The cleaning head may comprise of toilet paper (Column 5 Lines 25-30) which is capable of being at least partially liquid soluble or liquid dispersible.

6. Claims 25, 29, and 55-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Rodgers, USPN 2,402,577.

Rodgers discloses the claimed invention including a cleaning head (10, 11, 12, 13) including a support surface (side walls, see Figures) defining an elliptical-shaped opening into a gripping cavity thereof (15, see Figures), the gripping cavity further being defined by a back wall (unlabeled, see bottom portion of "15" in Figure 4) and a "rigid", inwardly facing, side engaging surface extending between the support surface and the back wall (unlabeled, see tapering inner surface of "15" in Figure 4), and a tool comprising an elongated shaft (16) having a handle portion one end (uppermost outer portion, unlabeled), and an internal gripping mechanism (18) mounted to the elongated shaft (see Figure 1), and including a collet device having an expansive, circumferential, outward facing contact region sized and dimensioned for sliding insertion through the elliptical-shaped opening and into the gripping cavity (19; Column 3 Lines 45-48), the gripping mechanism being selectively movable between a release condition (when "19" is yielding and finger portions are brought closer) and a gripping condition (during natural expansion of "19") wherein the outward facing contact region (outer surface of "19") is displaced radially outward from a longitudinal axis of the collet device and into gripping cooperation with the side engaging surface to provide an engaging force for mounting the cleaning head (see Figures, Column 3 Lines 45-48). The cleaning head is at least partially liquid soluble or liquid dispersible (Column 2 Line 21 to Column 3 Line 13, Column 3 Lines 29-37). The collet device (19) includes a plurality of finger members (see Figures 1-2) extending distally from the elongated shaft (see Figure 1) and positioned generally radially around the collet longitudinal axis (see Figure 2), the outer contact region of each finger having a transverse cross-sectional dimension

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conforming the elliptical shape of the cavity opening when in release condition (see Figures; Column 3 Lines 45-48).

Allowable Subject Matter

7. Claims 1-24 and 38-54 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

8. Claims 27-28, 30-37, and 59-67 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art made of record includes a cleaning tool assembly comprising the combination of a disposable cleaning head, an elongated shaft having a handle portion, a gripping mechanism mounted to the elongated shaft, including a contact region moveable between a gripping condition and a release condition, and an elastic boot configured to extend substantially over the contact region of the gripping mechanism, so when the gripping mechanism is in the gripping condition, the contact region urges the elastic boot against the engaging surface of the cleaning implement to form a substantially liquid-tight seal therebetween to substantially delay solubility or dispersion of the engaging surface.

US 2004/0244130 to Kim, discloses a device with a disposable cleaning head that has a handle and gripping mechanism engaging an elliptical opening of the

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cleaning head. Kim does not disclose an elastic boot extending over a contact region of the gripping mechanism.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C Cole whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

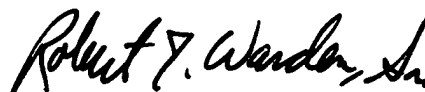
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sun (John) Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LCC

LCC

24 February 2005



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